



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

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James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
3010 Conda Road
Soda Springs, Idaho 83276

Re: Report on Surface Water Sampling Results – September 21, 2012
Administrative Order on Consent for Nu-West CPO Facility
EPA Docket No. RCRA-10-2009-0186

FILE COPY

Dear Mr. Cagle:

This letter provides EPA comments to the Report on Surface Water Sampling, dated September 21, 2012. There are technical issues with some of the data.

There is significant charge balance error reported in Table 3 for sample WSD-06 collected on April 17, 2012. It is not apparent where this error is coming from. The anions are significantly above the cations with the responsible analyte possibly the carbonate alkalinity, which is elevated compared with the other samples collected from the same water course.

The values for dissolved oxygen reported in Table 1 are far greater than theoretically possible for waters in equilibrium with atmospheric oxygen at the elevation of the Conda Phosphate Operation facility and at the temperatures recorded. The samples demonstrating this phenomenon are throughout the sampling event. These values are essentially impossibly high. For example, WSD-10 collected on April 17, 2012 at 2 pm had a temperature of 8.51°C and a dissolved oxygen concentration of 19.38 mg/l. The United States Geological Service calculated concentration of dissolved oxygen at saturation for the elevation of Conda is less than 9.94mg/l.

As EPA communicated in comments by email to Nu-West Industries on August 17, 2012, EPA observed calibration and instrumentation deficiencies with operation of field instrumentation during drilling work earlier this field season in August. Similar calibration and instrumentation deficiencies could explain the erroneous data, with respect to charge balance and dissolved oxygen values reported in the September Surface Water Sampling Report.

EPA reiterates the importance of proper calibration and operation of instrumentation when gathering data during the investigation. Paragraph 81 of the Administrative Order on Consent requires that Nu-West Industries monitor to ensure that high quality data is obtained by its consultant or contract laboratories.

If you have any questions, please feel free to call me at (206) 553-2964. Alternatively, you may reach me via email at: Magolske.Peter@epamail.epa.gov. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Magolske", written in a cursive style.

Peter Magolske
Air and RCRA Compliance Unit

cc: Brian Monson, Idaho Department of Environmental Quality
P. Scott Burton, Esq. Hunton and Williams LLP